

1 BILL NO. Z-83-*08-10*

2 ZONING MAP ORDINANCE NO. Z-11-83

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. M-6.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby designated
8 a Historic Preservation District under the terms of Chapter 33 of the
9 Code of the City of Fort Wayne, Indiana of 1974:

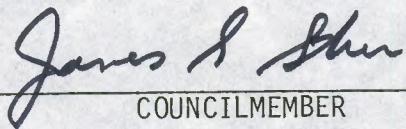
10 Lot No. 7 and the South 4 inches of Lot No. 6 in Wolke's
11 Subdivision of Lot 485, 486, 487 and 488 in Hanna's Addition
12 to the City of Fort Wayne;

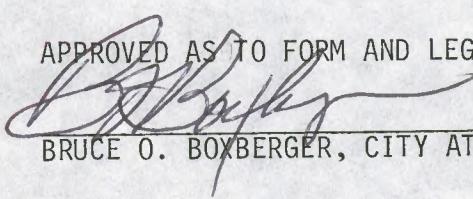
13 ALSO the South 20 feet and 4 inches of Lot No. 8 in Wolke's
14 Subdivision of Lots 485, 486, 487 and 488 in Hanna's Addition
15 to the City of Fort Wayne, EXCEPT the West Half or the West
16 10 feet thereof appropriated for alley purposes;

17 ALSO the South 20 feet and 4 inches of the vacated alley just
18 East of said Lot 8 in said Wolke's Subdivision, all according
19 to the recorded plat of said Wolke's Subdivision recorded in
20 Deed Record 31, on page 312 of the deed records of said
21 Allen County.

22 and the symbols of the City of Fort Wayne, Zoning Map No. M-6, as established
23 by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana
24 are hereby changed accordingly.

25 SECTION 2. That this Ordinance shall be in full force and effect
26 from and after its passage and approval by the Mayor and the legal
27 publication thereof.

28 
29 COUNCILMEMBER

30 APPROVED AS TO FORM AND LEGALITY
31 
32 BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by Steve, seconded by Gia Quinta, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 19, the 19 day of September, at 10:00 o'clock A.M., E.S.T.

DATE: 8-9-83

Sandra F. Kennedy CITY CLERK

Read the third time in full and on motion by Steve, seconded by Gia Quinta, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>BRADBURY</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>BURNS</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>EISBART</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>GiaQUINTA</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>SCHMIDT</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>SCHOMBURG</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>SCRUGGS</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>STIER</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>TALARICO</u>	<u>✓</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

DATE: 9-13-83

Sandra F. Kennedy CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) NO. 3-11-83 on the 13th day of Sept., 1983.

ATTEST:

(SEAL)

Sandra F. Kennedy
CITY CLERK

Say - A. Abbott
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of Sept., 1983, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra F. Kennedy
CITY CLERK

Approved and signed by me this 23rd day of Sept., 1983, at the hour of 2 o'clock P.M., E.S.T.

WIN MOSES, JR. - MAYOR

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATE

I/WE LAWRENCE E. SHINE

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B-3-A District to a/an Historic Preservation District District the property described as follows:

Lot No. 7 and the South 4 inches of Lot No. 6 in WOLKE'S SUBDIVISION of Lots 485, 486, 487 and 488 in Hanna's Addition to the City of Fort Wayne;

ALSO the South 20 feet and 4 inches of Lot No. 8 in WOLKE'S SUBDIVISION of Lots 485, 486, 487, and 488 in Hanna's Addition to the City of Fort Wayne, EXCEPT the West Half or the West 10 feet thereof appropriated for alley purposes;

ALSO the South 20 feet and 4 inches of the vacated alley just East of said Lot 8 in said WOLKE'S SUBDIVISION, all according to the recorded plat of said WOLKE'S SUBDIVISION recorded in Deed Record 31, on page 312 of the deed records of said Allen County.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/WE, the undersigned, certify that I am/~~xxxxxx~~ the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Lawrence E. Shine5508 Burnham Woods Lane
Fort Wayne, Indiana 46804

(Name)

(Address)

(Signature)

Lawrence E. Shine

(If additional space is needed, use reverse side.)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral, continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.
2400 Fort Wayne Bank Bldg.

Lawrence E. Shine

Fort Wayne, Indiana 46802

(Name)

(Address & Zip Code)

(219) 424-8000

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RECEIVED
JUL 1 1985
CITY PLANNING COMMISSION
FORT WAYNE, INDIANA

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-08-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 15, 1983;

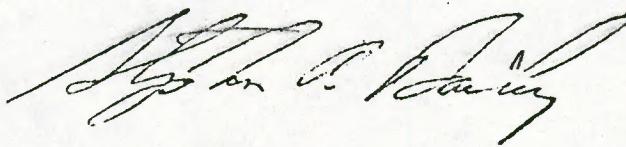
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship is applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1983.

Certified and signed this
25th day of August, 1983.



Stephen A. Bailey
Secretary

BILL NO. Z-83-08-10

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN
ORDINANCE amending the City of Fort Wayne Zoning Map No. M-6

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE Do PASS.

JAMES S. STIER, CHAIRMAN

John

Janet G. Bradbury
Victure L. Scruggs
Mark E. Gi Quinta
Roy J. Schomburg

JANET G. BRADEBURY, VICE CHAIRMAN

VICTURE L. SCRUGGS

MARK E. GIAQUINTA

ROY J. SCHOMBURG

Concurred in 9-13 Sandra F. Kennedy

RECEIPT

COMMUNITY DEVELOPMENT & PLANNING

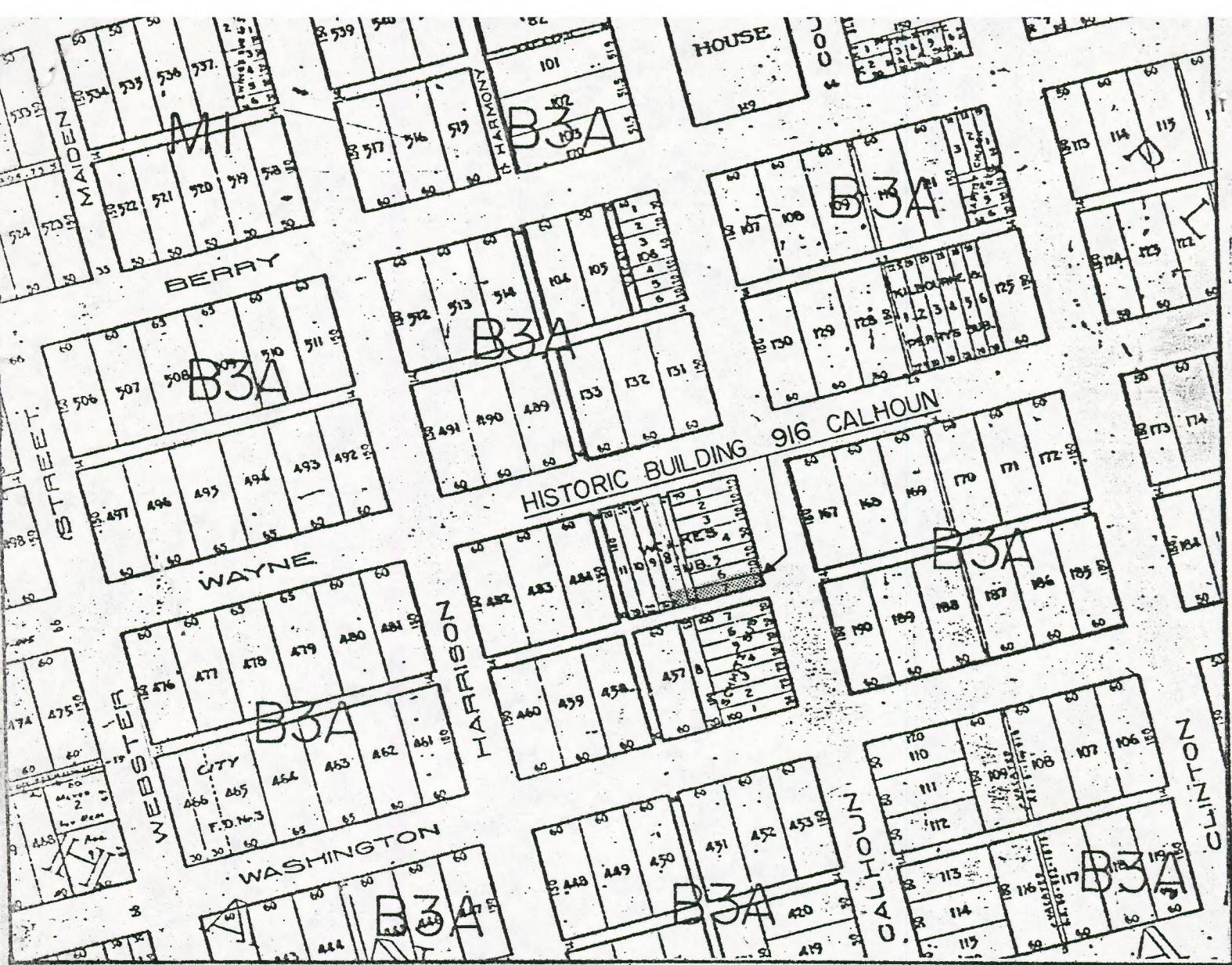
No 9004

FT. WAYNE, IND., 7-1 1982RECEIVED FROM Lawrence Shire\$ 50.00THE SUM OF fifty 00

100 DOLLARS

ON ACCOUNT OF PlanningF.A.B.

AUTHORIZED SIGNATURE



■ A PETITION TO AMEND THE ZONING MAP
BY RECLASSIFYING DESCRIBED PROPERTY
FROM A B3A TO A HISTORIC PRESERVATION
DISTRICT.

MAP NO. M-6

Z-83-08-10



The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

25 August 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 22, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

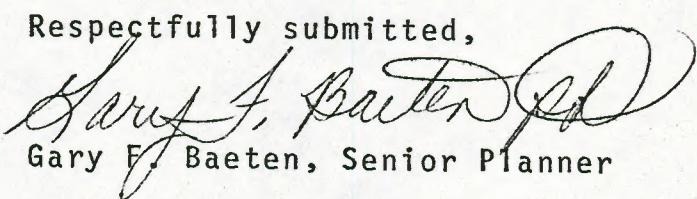
1. Bill No. Z-83-08-09
2. From: R-3 to M-1
3. Intended Use: Expansion of Bushey & Son Aluminum Center, Inc.
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The approval of this request will not be injurious to the public health, safety, morals, and general welfare of the community.

If there are any questions with regard to this ordinance, feel free to call on us.

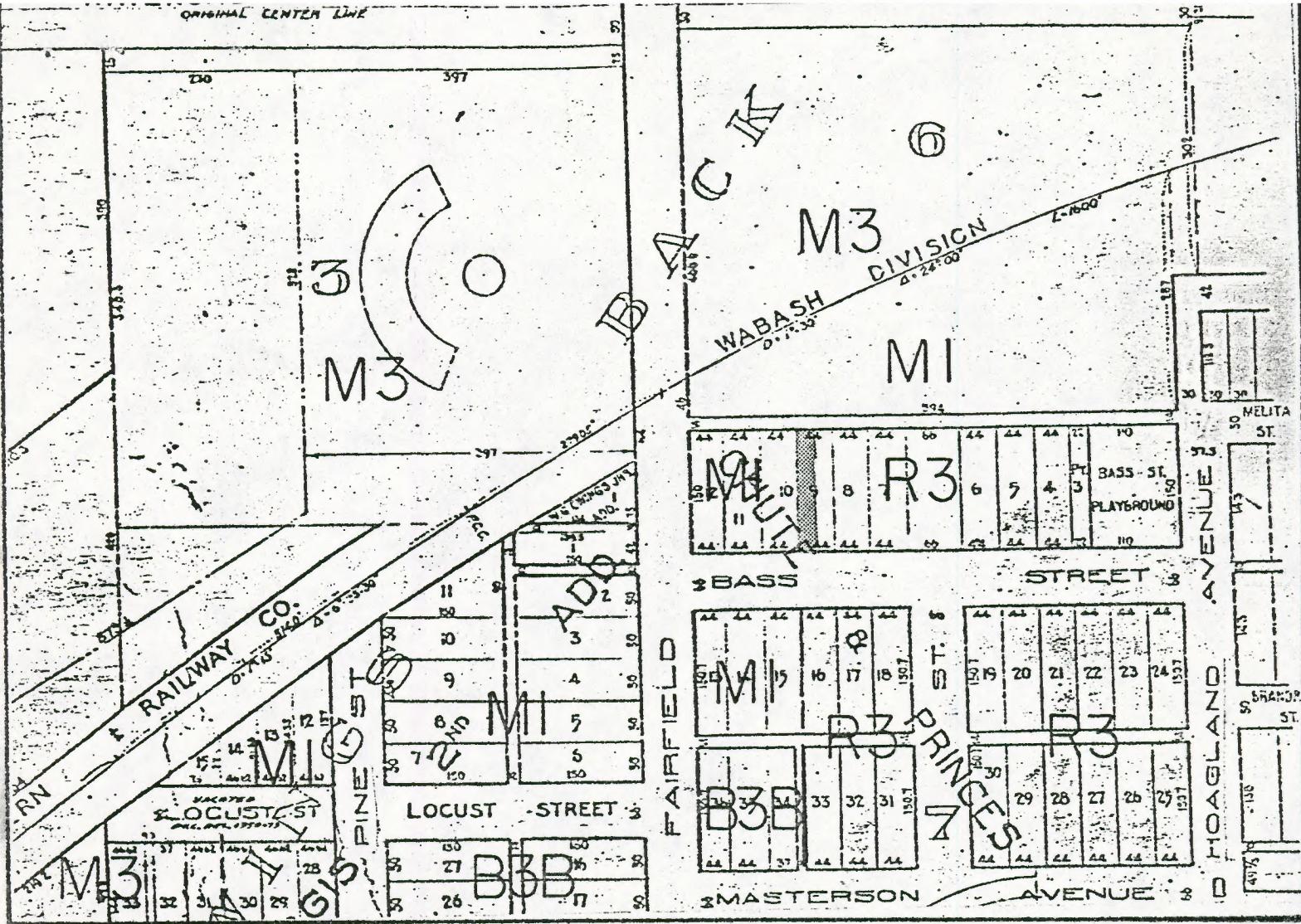
Respectfully submitted,



Gary F. Baeten, Senior Planner

GFB:pb

Attachments



■ A PETITION TO AMEND THE ZONING MAP
BY RECLASSIFYING DESCRIBED PROPERTY
FROM A R-3 TO A M-1 DISTRICT.

MAP NO. L-2

Z-83-08-09

L. WHITT 7-14-83

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No.Z-83-08-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 15, 1983;

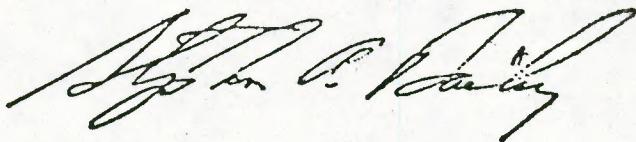
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1983.

Certified and signed this
25th day of August, 1983.



Stephen A. Bailey
Secretary



THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

25 August 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 22, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

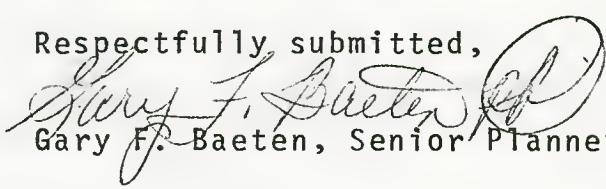
1. Bill No. Z-83-08-10
2. From: B-3-A to Historical Overlay District
3. Intended Use: Unknown
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or value of the area adjacent to the property included in the variance will not be affected in an adverse manner.

NOTE: This request is for an Overlay District. The property, even if the request is granted, will still be zoned B-3-A and as such all uses allowed in the B-3-A District still apply to the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

Gary F. Baeten, Senior Planner

GFB:pb

Attachments





THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

25 August 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 22, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-08-10
2. From: B-3-A to Historical Overlay District
3. Intended Use: Unknown
4. Plan Commission Recommendation: DO PASS

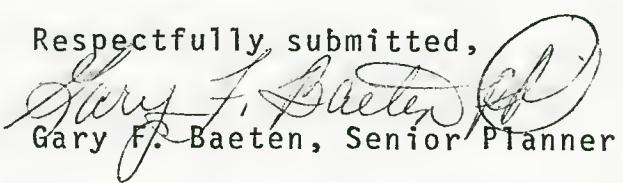
This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or value of the area adjacent to the property included in the variance will not be affected in an adverse manner.

NOTE: This request is for an Overlay District. The property, even if the request is granted, will still be zoned B-3-A and as such all uses allowed in the B-3-A District still apply to the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,


Gary F. Baeten, Senior Planner

GFB:pb

Attachments





A PETITION TO AMEND THE ZONING MAP
BY RECLASSIFYING DESCRIBED PROPERTY
FROM A B3A TO A HISTORIC PRESERVATION
DISTRICT.

MAP NO. M-6

Z-83-08-10

L WHITT 7-15-83

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-08-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 15, 1983;

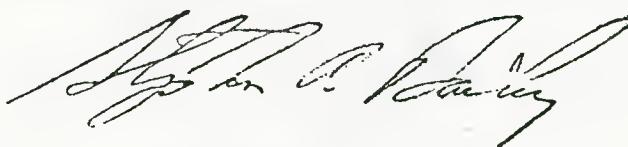
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship is applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1983.

Certified and signed this
25th day of August, 1983.



Stephen A. Bailey
Secretary



THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT

Department of Community Development & Planning

25 August 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 22, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-83-08-11
2. From: B-3-A to Historical Overlay District
3. Intended Use: Business Equipment
4. Plan Commission Recommendation: DO PASS

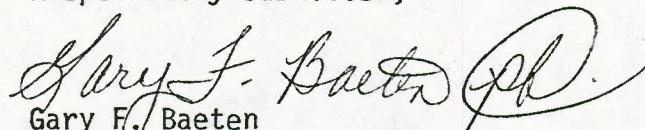
This ordinance received a DO PASS recommendation for the following reason:

REASON: The granting will not be injurious to the public health, safety, morals and general welfare of the community.

NOTE: This request is for an Overlay District. The property, even if the request is granted, will still be zoned B-3-A and as such all uses allowed in the B-3-A District still apply to the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

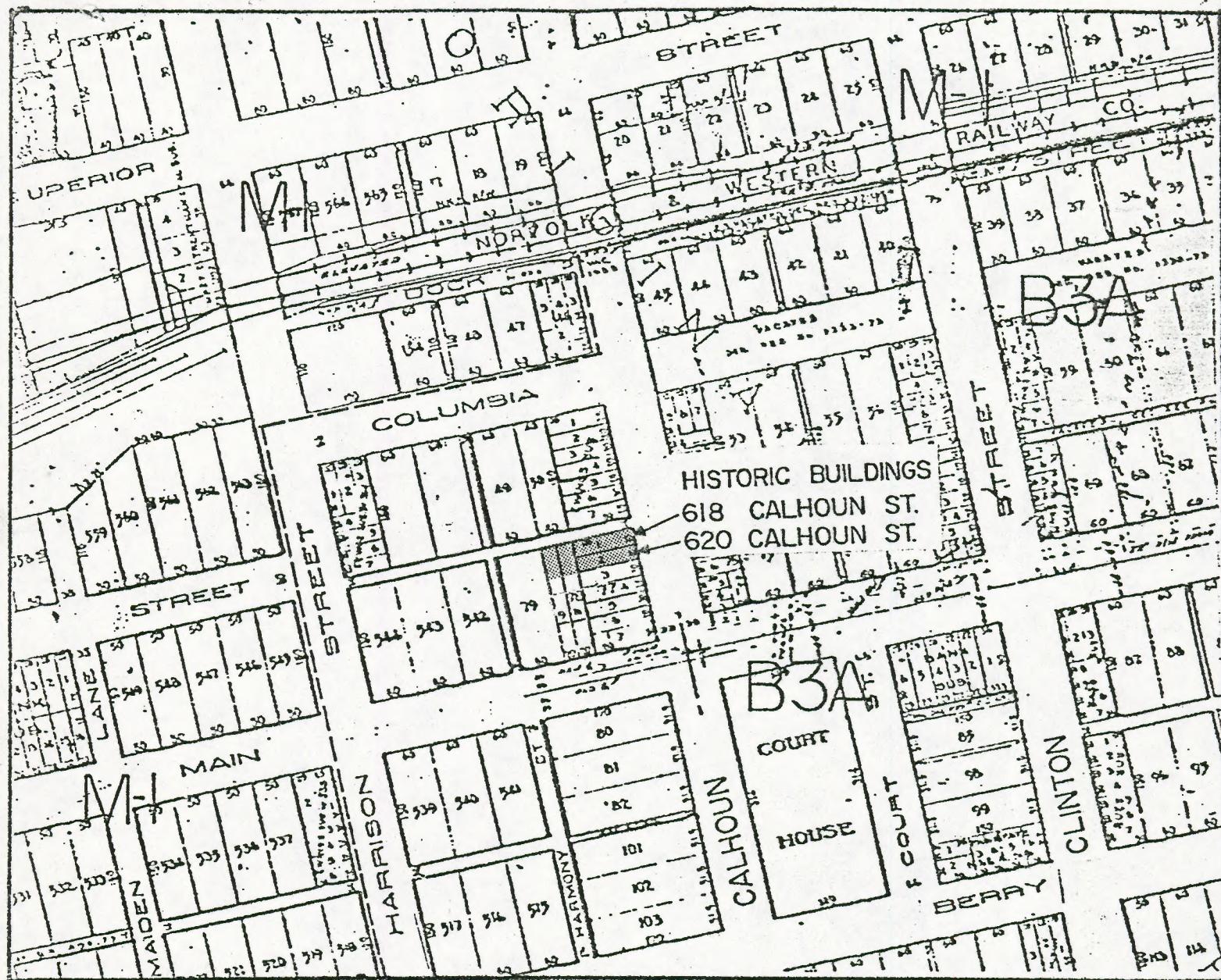
Respectfully submitted,


Gary F. Baeten
Senior Planner

GFB:pb

Attachments





A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM A B3A TO A HISTORIC PRESERVATION DISTRICT.

MAP NO. M-6

Z-83-08-11

N

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 9, 1983, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-83-08-11; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 15, 1983;

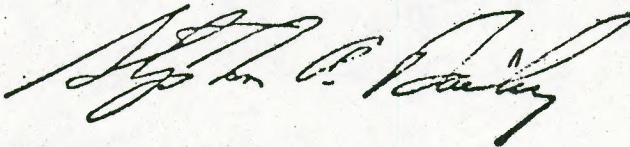
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community,
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 22, 1983.

Certified and signed this
25th day of August 1983.



Stephen A. Bailey
Secretary

ORIGINALTITLE OF ORDINANCE Zoning Ordinance Amendment3-82-08-10DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&PSYNOPSIS OF ORDINANCE Lot No. 7 and the South 4" of Lot No. 6 in Wolke's Subdivision and the South 20 feet and 4" of Lot No. 8 in Wolke's Subdivision; ALSO the South 20' 4" of the vacated alley just East of said Lot No. 8 in said Wolke's Subdivision.EFFECT OF PASSAGE Property is now zoned B-3-A - General Business District. Property will become a Historic Preservation District.EFFECT OF NON-PASSAGE Property will remain B-3-A = General Business District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J.N.)